

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DISTRICT**

JP MORGAN CHASE BANK, NATIONAL ASSOCIATION,	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:19-CV-05770
	)	
ROBERT KOWALSKI, AKA ROBERT M. KOWALSKI; UNKNOWN OWNERS AND NON-RECORD CLAIMANTS; CHICAGO	)	
TITLE LAND TRUST COMPANY s/i/i TO	)	1512 W. Polk Street
BRIDGEVIEW BANK GROUP FKA	)	Chicago, IL 60607
BRIDGEVIEW BANK AND TRUST COMPANY, )		
AS TRUSTEE UNDER TRUST AGREEMENT )		
DATED APRIL 24, 1993 AND KNOWN AS )		
TRUST NUMBER 1-2228; MARTHA )		
PADILLA; FEDERAL DEPOSIT INSURANCE )		
CORPORATION, AS RECEIVER FOR )		
WASHINGTON FEDERAL BANK FOR )		
SAVINGS,	)	
	)	
Defendants.	)	

**JOINT STATUS REPORT ON DISCOVERY**

The parties hereby jointly submit this Status Report on Discovery pursuant to Court Order.

(See Dkt. 179).

**A. PROGRESS ON DISCOVERY**

1. Fact discovery has been completed as to the principal parties.
2. Discovery remains stayed as to Third-Party Defendant First Midwest Bank pending disposition of First Midwest Bank's *Motion to Dismiss Padilla's First Amended Third-Party Complaint*. (See Dkt. 141.)

**B. EXPERT WITNESS DISCOVERY**

Martha Padilla disclosed two expert witnesses. Defendant Federal Deposit Insurance Corporation, as Receiver for Washington Federal Bank for Savings (“FDIC-R”) filed a Motion to Strike the Expert Report of Expert Randall Hughes on January 5, 2022. (Dkt. 183.) Plaintiff JPMorgan Chase Bank, N.A. also has filed a Motion to Strike this report and joined the FDIC-R’s Motion. (Dkt. 186.) Pursuant to an agreed briefing schedule, Padilla’s Response to the Motions to Strike is due February 9, 2022, and replies by FDIC-R and Chase are due February 23, 2022. (Dkt. 185.)

No expert rebuttal witnesses were disclosed by the December 31, 2022 deadline, and there is no outstanding expert discovery.

**C. PROGRESS ON SETTLEMENT DISCUSSIONS.**

There has not been any significant progress on settlement since the settlement conference on May 13, 2021.

**D. ANY OTHER ISSUES TO REPORT TO THE COURT.**

First Midwest Bank’s *Motion to Dismiss Padilla’s First Amended Third-Party Complaint*, Chase’s *Motion for Summary Judgment as to the First Affirmative Defense of Defendant Martha Padilla*, and FDIC-R’s *Motion for Summary Judgment as to the Second Amended Counterclaim of Defendant Martha Padilla* are all fully briefed.

**SUBMITTED JOINTLY AND BY AGREEMENT OF THE PARTIES:**

Date: January 27, 2022

**PLAINTIFF JPMORGAN CHASE BANK,  
NATIONAL ASSOCIATION**

/s/ Shana A. Shifrin

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**DEFENDANT FEDERAL DEPOSIT  
INSURANCE CORPORATION,  
AS RECEIVER FOR WASHINGTON  
FEDERAL BANK FOR SAVINGS**

/s/ Jordana E. Thomadsen

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/s/ Rick Rein

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**DEFENDANT MARTHA PADILLA**

/s/ Joseph R. Ziccardi

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**THIRD-PARTY DEFENDANT FIRST  
MIDWEST BANK**

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